



Licensing Act 2003 Sub-Committee

Date: Friday, 2 July 2010

Time: 10.00 am

Venue: Committee Room 2 - Wallasey Town Hall

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AGENDA

1. APPOINTMENT OF CHAIR

2. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda, and, if so, to declare them and state what they are.

3. NAME OF PREMISES: PORTOFINOS, 18 LISCARD VILLAGE, WALLASEY - NAME OF APPLICANT: PORTOFINOS RESTAURANT LIMITED (Pages 1 - 4)

4. NAME OF PREMISES: HOME, 62 CHRISTCHURCH ROAD, OXTON - NAME OF APPLICANT: HOME OXTON LIMITED (Pages 5 - 8)

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5. NAME OF PREMISES: HIGH SOCIETY, ARGYLE STREET, BIRKENHEAD - NAME OF APPLICANT: ADMIRAL TAVERNS LIMITED (Pages 9 - 12)

6. NAME OF PREMISES: MOJO'S, 3 DEE LANE, WEST KIRBY - NAME OF APPLICANT: MR ANDREW MCCREADY (Pages 13 - 16)

7. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR

To consider matters which the Chair accepts as being urgent.

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE
LICENSING ACT 2003 SUB-COMMITTEE – 2 JULY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: PORTOFINOS, 18 LISCARD VILLAGE, WALLASEY
NAME OF APPLICANT: PORTOFINOS RESTAURANT LIMITED

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises do not currently hold a Premises Licence.

3.0 APPLICATION

3.1 An application has been received for the grant of a Premises Licence for the following hours:

Supply of Alcohol

Sunday to Saturday 12:00 to 02:00

Hours Open to the Public

Sunday to Tuesday 12:00 to 02:00
Wednesday to Saturday 12:00 to 02:30

Regulated Entertainment (Live Music)

Friday and Saturday 22:00 to 01:00

Regulated Entertainment (Recorded Music)

Sunday to Saturday 12:00 to 02:00

Regulated Entertainment (Performance of Dance)

Sunday to Saturday 21:00 to 23:00

Entertainment Facilities (Facilities for Dancing)

Wednesday and Saturday 21:00 to 02:00

3.2 Following discussions with Merseyside Police, the applicant agreed to amend the application by reducing the hours originally set out in their application.

4.0 PROMOTION OF LICENSING OBJECTIVES

4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available. Subsequent to submitting the application the applicant has agreed to amend the operating schedule as follows:

- CCTV system will be installed which keeps three months worth of records. It has eight channels, three outside and five inside and is of 500 gigabytes.
- Two SIA registered doormen on the doors and one inside. It is anticipated that the one inside will have specialist training in relation to drugs as well as alcohol. Additionally, staff will be trained and if there is any consideration that somebody has had too much alcohol or is behaving in an unruly manner they will be politely asked to leave.
- Will operate a policy that if any person wishing admittance appears to be under 25 they will be asked for identification.
- The above relating to doorpersons and the items thereafter are intended to operate from 10.00pm onwards.
- There is no sportswear, trainers or caps to be worn after 10.00pm.
- You will be asked to leave if you cause trouble or have drunk to excess.
- There are no bottles or glasses to be outside.
- You must behave in such a way that is respectful to the local community.
- Staff will be fully trained to ensure that whilst there are children on the premises they are accompanied by adults and that staff are trained to ensure that alcohol is consumed by the parents and not by the children.
- Anyone appearing to be under the age of 25 years wishing to gain entrance after 9.30pm will be required to provide identification and no one under the age of 18 years of age will be allowed to enter after 9.30pm. All those under the age of 18 who have entered before 9.30pm will be required to leave by 9.45pm.
- The premises hold 120 persons as a night club and 60 persons eating.
- There will be three safety stewards.
- When staff are recruited they will undergo St Johns Ambulance training so that there is always a trained first aider on shift.
- Will keep an incident book and a door staff register.
- Carry out a sound check once a month outside the premises to ascertain the extent to which noise escapes.
- Sign will be displayed outside the premises reminding the customers to respect the neighbours. The door and bar staff will remind clients when leaving the and

the last half hour the DJ will announce that it is time to go home and quieten the mood with slower music.

- A record of all training to be kept and maintained.

5.0 RELEVANT REPRESENTATIONS

5.1 The following Representations have been received in respect of the above application.

Interested Party – Local Residents

In respect of this application, 14 representations have been received from Local Residents. A representation has also been received from Central Liscard Residents Association. The representations relate to noise nuisance and anti-social behaviour which they state is a current issue within the vicinity of these premises and consider will increase if this application is granted. Copies of the representations are available.

Ward Councillor, Karen Hayes, has also made a representation. The representation supports the concerns expressed by local residents. A copy of the representation is available.

5.2 There have been no other representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Trading Standards
Environmental Health
Planning Authority
Merseyside Police
Fire Authority

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Liscard ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 **PLANNING IMPLICATIONS**

12.1 The Director of Technical Services (Development Control) has advised of the following condition attached to the Planning Permission:

‘The premises shall be closed between the hours of 23:30 hours and 09:00 hours’

13.0 **BACKGROUND PAPERS**

13.1 Application form applying for a Premises Licence – Operating Schedule.

13.3 Representations received from Local Residents.

14.0 **RECOMMENDATIONS**

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478

WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE
LICENSING ACT 2003 SUB-COMMITTEE – 2 JULY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: HOME, 62 CHRISTCHURCH ROAD, OXTON
NAME OF APPLICANT: HOME OXTON LIMITED

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises do not hold a Premises Licence. The premises are currently trading as a café.

3.0 APPLICATION

3.1 An application has been received for the grant of a Premises Licence for the following hours:

Supply of Alcohol

Monday to Saturday	09:00 to 00:00
Sunday	10:00 to 00:00

Hours Open to the Public

Monday to Saturday	09:00 to 00:00
Sunday	10:00 to 00:00

4.0 PROMOTION OF LICENSING OBJECTIVES

4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.

4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

5.1 The following Representations have been received in respect of the above application.

Interested Party – Local Residents

In respect of this application, eight representations have been received from Local Residents. The representations relate to noise nuisance from the premises late at night. Copies of the representations are available.

5.2 There have been no other representations received from the following Responsible Authorities:

Wirral Safe Guarding Children Board
Trading Standards
Environmental Health
Planning Authority
Merseyside Police
Fire Authority

6.0 FINANCIAL AND STAFFING IMPLICATIONS

6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 LOCAL AGENDA 21 IMPLICATIONS

8.1 There are none arising directly from this report.

9.0 LOCAL MEMBER SUPPORT IMPLICATIONS

9.1 The premises are located in the Oxton ward.

10.0 HUMAN RIGHTS IMPLICATIONS

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 COMMUNITY SAFETY IMPLICATIONS

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 PLANNING IMPLICATIONS

12.1 The Director of Technical Services (Development Control) has advised of the following condition attached to the Planning Permission:

‘No trading shall take place at the premises between 20.00 and 08.00 hours’.

13.0 BACKGROUND PAPERS

13.1 Application form applying for a Premises Licence – Operating Schedule.

13.3 Representations received from Local Residents.

14.0 **RECOMMENDATIONS**

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for a Premises Licence in respect of the above premises.

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE
LICENSING ACT 2003 SUB-COMMITTEE – 2 JULY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: HIGH SOCIETY, ARGYLE STREET, BIRKENHEAD
NAME OF APPLICANT: MERSEYSIDE POLICE

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the review of a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 High Society currently has a Premises Licence to allow the following Licensable Activities:

Supply of Alcohol

Sunday to Saturday 10:00 to 04:00

Hours Open to the Public

Sunday to Saturday 10:00 to 04:00

Regulated Entertainment (Recorded Music and Anything of a Similar Description)

Sunday to Saturday 10:00 to 04:00

Entertainment Facilities (Facilities for Making Music, Dancing and Anything of a Similar Description)

Sunday to Saturday 10:00 to 04:00

Late Night Refreshment

Sunday to Saturday 23:00 to 04:00

2.2 A copy of the Premises Licence setting out the above hours and conditions attached to the Licence is available.

2.3 The Licensing Act 2003 Sub-Committee may, having regard to the application for review and any relevant representations, take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Modify the Conditions of the Licence.
- Exclude a licensable activity from the scope of the Licence.
- Remove the Designated Premises Supervisor.

- Suspend the Licence for a period not exceeding three months.
- Revoke the Licence.

The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

3.0 APPLICATION

3.1 An application has been received from Merseyside Police to review the Premises Licence for the premises known as High Society. Merseyside Police have advised that the grounds for review are in relation to the prevention of crime and disorder, public safety and the prevention of public nuisance following a number of incidents that have occurred at the premises involving both Door Supervisors and customers of the premises.

3.2 Further information to support the above grounds for review is included within the application which is available.

3.3 There have been no representations received from interested parties or from the following Responsible Authorities:

Wirral Area Child Protection Committee
Environmental Health
Fire Authority
Planning Authority
Trading Standards

4.0 FINANCIAL AND STAFFING IMPLICATIONS

4.1 There are no financial implications and my existing Licensing staff will deal with this application.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are none arising from this report.

6.0 LOCAL AGENDA 21 IMPLICATIONS

6.1 There are none arising directly from this report.

7.0 LOCAL MEMBER SUPPORT IMPLICATIONS

7.1 The premises are located in the Birkenhead and Tranmere Ward.

8.0 HUMAN RIGHTS IMPLICATIONS

8.1 Article 6 and Article 1 of the First Protocol which is concerned with the protection of property is most likely to have a particular impact.

9.0 COMMUNITY SAFETY IMPLICATIONS

9.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

10.0 PLANNING IMPLICATIONS

10.1 There are no planning implications arising from this report.

11.0 BACKGROUND PAPERS

11.1 Application form applying to review a Premises Licence.

12.0 RECOMMENDATIONS

12.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the review of a Premises Licence in respect of the above premises.

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478.

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WIRRAL COUNCIL

LICENSING ACT 2003 COMMITTEE
LICENSING ACT 2003 SUB-COMMITTEE – 2 JULY 2010

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

NAME OF PREMISES: MOJO'S, 3 DEE LANE, WEST KIRBY
NAME OF APPLICANT: MR ANDREW MCCREADY

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application to vary a Premises Licence under the provisions of the Licensing Act 2003.

2.0 RELEVANT BACKGROUND

2.1 These premises currently have a premises licence with the following hours:

Supply of Alcohol

Sunday to Thursday	11:00 to 00:00
Friday and Saturday	11:00 to 01:00

Hours Open to the Public

Sunday to Thursday	11:00 to 00:30
Friday and Saturday	11:00 to 01:30

Regulated Entertainment (Recorded Music)

Sunday to Saturday	11:00 to 00:00
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Regulated Entertainment (Live Music)

Thursday to Sunday	20:00 to 23:00
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3.0 APPLICATION

3.1 The applicant has requested to vary the Premises Licence to extend the licensed area to include the first floor for the Licensable Activities currently permitted on the licence. A copy of the proposed plan, showing the first floor of the premises, is available.

3.2 The applicant has also requested to remove the following conditions from the Premises Licence:

- The premises must adopt a policy of no admission to under 21 year olds and in order to meet this requirement a 'Think 21 Policy' is to be adopted.
- Whenever live entertainment is taking place, one SIA registered door person must be on duty from 20.00hrs until closing and that door person must be equipped with a hi-viz fluorescent jacket.

The applicant has proposed to include the following conditions on the Premises Licence if the variation is granted:

- One SIA registered door person to be on duty from 22:00hrs on Thursdays
- Two SIA registered door persons to be on duty from 22:00hrs on Fridays and Saturday
- Implement a 'Think 25' policy

4.0 PROMOTION OF LICENSING OBJECTIVES

- 4.1 Applicants are required to submit as part of their application an operating schedule that sets out how they will conduct/manage their business in accordance with the four Licensing Objectives. A copy of the full application detailing the steps proposed by the applicant is available.
- 4.2 Members of the Licensing Act 2003 Sub-Committee are advised that the proposals set out in the operating schedule would become conditions of licence should the licence be granted.

5.0 RELEVANT REPRESENTATIONS

- 5.1 The following Representations have been received in respect of the above application.

Interested Parties - Local Residents

In respect of this application, a representation has been received from a Local Resident. The representation relates to noise nuisance from entertainment coming from the premises. The representation also relates to nuisance being caused by customers leaving the premises at a late hour. A copy of the representation is available.

Ward Councillors, Gerry Ellis and John Hale, have also made a representation. The representations support the concerns expressed by the local resident. Copies of the representations are available.

- 5.2 There have been no other representations received from the following Responsible Authorities:

Wirral Area Child Protection Committee
Trading Standards
Environmental Health
Planning Authority
Fire Authority
Merseyside Police

6.0 FINANCIAL AND STAFFING IMPLICATIONS

- 6.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

7.0 EQUAL OPPORTUNITIES IMPLICATIONS

7.1 There are none arising from this report.

8.0 **LOCAL AGENDA 21 IMPLICATIONS**

8.1 There are none arising directly from this report.

9.0 **LOCAL MEMBER SUPPORT IMPLICATIONS**

9.1 The premises are located in the Hoylake and Meols ward.

10.0 **HUMAN RIGHTS IMPLICATIONS**

10.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

11.0 **COMMUNITY SAFETY IMPLICATIONS**

11.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

12.0 **PLANNING IMPLICATIONS**

12.1 There are no Planning implications.

13.0 **BACKGROUND PAPERS**

13.1 Application form applying to vary a Premises Licence – Operating Schedule.

13.2 Representations received from a Local Resident and Ward Councillors.

14.0 **RECOMMENDATIONS**

14.1 The Licensing Act 2003 Sub-Committee are asked to consider the application to vary a Premises Licence in respect of the above premises.

Bill Norman
Director of Law, HR and Asset Management

This report was prepared by Richard Leyland who can be contacted on 691 8478

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